

**ENTERED**

October 24, 2023

Nathan Ochsner, Clerk

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS****IN RE: James D. Butcher****§ BANKRUPTCY NO. 23-34075  
§**

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**ORDER: POSSIBLE FUTURE DISMISSAL OF CASE**

1. 11 U.S.C. §521(a) requires Debtors to file certain information. Fed. R. Bankr. P. 1007(c) requires Debtors to file the list of creditors with the petition and requires Debtors to file the balance of the documents required by §521(a)(1) within 14 days after the petition date, unless extended for good cause shown.

2. The Clerk has determined that the Debtor(s) has failed to file the following documents:

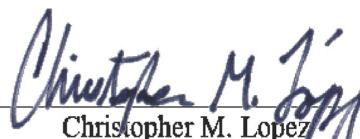
- Form 106A/B, Schedule A/B (Property)
- Form 106C, Schedule C (The Property You Claim as Exempt)
- Form 106D, Schedule D (Creditors Who Have Claims Secured by Property)
- Form 106E/F, Schedule E/F (Creditors Who Have Unsecured Claims)
- Form 106G, Schedule G (Executory Contracts and Unexpired Leases)
- Form 106H, Schedule H (Your Codebtors)
- Form 106I, Schedule I (Your Income)
- Form 106J, Schedule J (Your Expenses)
- Form 107, Statement of Financial Affairs for Individuals Filing for Bankruptcy
- Form 122A-1, B or C-1, as applicable to the chapter (Statement of Current Monthly Income and Calculation of Commitment Period and Disposable Income)
- Copies of all payment advices or other evidence of payment received within 60 days before the date of the filing of the petition, by the debtor(s) from any employer of the debtor(s).

3. The Court orders that the foregoing documents must be filed timely.

4. 11 U.S.C. §521(i) requires the "automatic dismissal" of voluntary bankruptcy cases filed by individuals who are in chapter 7 or chapter 13 bankruptcy cases who do not file all of the information required by §521(a)(1). Additionally, if the Debtor(s) **does not comply with this order, the case will be dismissed without further notice.**

5. A party must either satisfy the deficiency or file a pleading denying the existence of the deficiency.

Signed October 24, 2023.

  
Christopher M. Lopez  
United States Bankruptcy Judge

### **NOTICE**

11 U.S.C. § 521(a)(1)(B)(iv) requires a debtor to file "copies of all payment advices or other evidence of payment received within 60 days before the date of the filing of the petition, by the debtor from any employer of the debtor." It appears that the debtor in this case has failed to file the payment advices required by § 521(a)(1)(B)(iv).

If the debtor did not have an employer during the 60 days before the date of the filing of the petition, the debtor may file a statement in the form attached to this notice. The statement must be filed with the clerk of the Court within 45 days after the petition was filed in this case.

Relief from the requirements of § 521 (a)(1)(B)(iv) must be sought in writing, by a motion filed within 45 days of the date the petition was filed in this case.

If the debtor fails to file the required payment advices or the statement in the form attached to this notice, the case will be dismissed effective as of the 46<sup>th</sup> day following the petition date.

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS**

**In re:**

§  
§

**Case No.**

**DEBTOR'S RESPONSE TO  
ORDER REGARDING NECESSITY OF FILING PAYMENT ADVICES**

My name is \_\_\_\_\_. I am a debtor in this bankruptcy case. I declare that I did not receive any payment advices or other evidence of payment from any employer during the 60 days before the date of the filing of the bankruptcy petition. If this case is a joint case, both spouses have signed below to make this declaration jointly with respect to both.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on \_\_\_\_\_ (date).

\_\_\_\_\_  
Signature of Debtor

\_\_\_\_\_  
Signature of Joint Debtor (if joint case)

United States Bankruptcy Court  
Southern District of Texas

In re:  
James Douglas Butcher  
Debtor

Case No. 23-34075-cml  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0541-4  
Date Rcvd: Oct 24, 2023

User: ADIuser  
Form ID: pdf003

Page 1 of 1  
Total Noticed: 1

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 26, 2023:

Recip ID	Recipient Name and Address
db	James Douglas Butcher, 480 Kirby Rd, Taylor Lk Vlg, TX 77586-5201

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 26, 2023

Signature: /s/Gustava Winters

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 24, 2023 at the address(es) listed below:

Name	Email Address
David Peake	court@peakech13trustee.com
Reese W Baker	on behalf of Debtor James Douglas Butcher court docs@bakerassociates.net i.go@bakerassociates.net; igotnotices@gmail.com; court docsrbaker@gmail.com; reese.baker@bakerassociates.net; bakernotices@gmail.com; baker5151calendar@gmail.com; staff@bakerassociates.net; bakerassociates@jubileebk.net
US Trustee	USTPRegion07.HU.ECF@USDOJ.GOV

TOTAL: 3